

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SHARON KING,

Petitioner,

-against-

UNITED STATES OF AMERICA

Respondent.
-----X

13 Civ. ____ (KMK)

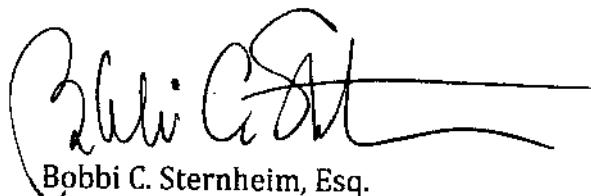
06 Cr. 311 (KMK)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the annexed Declaration of Bobbi C. Sternheim, Esq., the annexed Declaration of Sharon King, the accompanying Memorandum of Law, and all prior papers and proceedings herein, the petitioner, SHARON KING, will move before the Honorable Kenneth M. Karas, United States District Judge for the Southern District of New York, at the United States Courthouse located at 300 Quarropas Street, White Plains, New York, pursuant to 28 U.S.C. § 2255, for Orders:

- (a) Vacating petitioner's conviction and sentence;
- (b) Setting aside or correcting petitioner's sentence; and
- (c) Granting such other and further relief as this Court deems just and proper.

Dated: New York, NY
October 23, 2013



Bobbi C. Sternheim, Esq.
LAW OFFICES OF BOBBI C. STERNHEIM
33 West 19th Street – 4th Floor
New York, NY 10011
212-243-1100

Attorney for Petitioner Sharon King

To: Clerk of the Court
United States Attorney-Southern District of New York
Attn: AUSA Brent Wible

**Declaration of
Bobbi C. Sternheim, Esq.**

UNITED STATES DISTRICT COURT
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**DECLARATION IN SUPPORT
OF SHARON KING'S §2255 MOTION**

BOBBI C. STERNHEIM, pursuant to 28 U.S.C. §1746, hereby declares under penalty of perjury:

1. I am attorney admitted to practice in this Court and represent petitioner Sharon King in the above-captioned case.
2. This declaration is submitted in support of Ms. King's motion pursuant to 28 U.S.C. §2255 to vacate her conviction and sentence or, alternatively, to set aside or correct her sentence.
3. I am familiar with facts and circumstances of this case based on my review of the trial transcript, record on appeal, appellate briefs and decision, discovery and exhibits, independent investigation and discussions with various individuals.
4. The facts and legal support for the relief sought are set forth in the accompanying Memorandum of Law.
5. The facts set forth in the accompanying Memorandum of Law are based upon my understanding, information, and belief derived from my review of documents, discussions with individuals, and independent investigation.

WHEREFORE, it is respectfully requested that the Court grant Sharon King's § 2255 motion in its entirety, together with such other and further relief this Court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. 28 U.S.C. §1746.

Executed on October 23, 2013.



ROBBI C. STERNHEIM

Declaration of Sharon King, Petitioner

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SHARON KING,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.
-----X

13 Civ. _____ (KMK)
06 Cr. 311 (KMK)

DECLARATION

SHARON KING, pursuant to 28 U.S.C. § 1746, hereby declares under penalty of perjury:

1. I am the petitioner in the above-captioned case and submit this declaration in support of my motion for habeas corpus pursuant to 28 U.S.C. § 2255.
2. I was represented from arraignment, through trial and initial sentence by Xavier Donaldson, Esq.
3. Prior to the time pretrial motions were filed, I informed Mr. Donaldson that there were false statements in the search warrant affidavit. I told him that I was in Jamaica for my wedding during times when the confidential information (Robert Roper) said he had spoken with me.
4. I also told Mr. Donaldson that I did not speak with Roper while I was in Jamaica, that I did not bring my cellphone to Jamaica, and that my phone carrier did not provide international service between the United States and Jamaica.
5. Documents seized from my home and provided by the government during discovery confirmed that I was in Jamaica from August 5 to August 12, 2005.
6. I told Mr. Donaldson that the police stopped me while I was driving my car a few

blocks away from my residence, that I was placed under arrest and removed from my car.

7. I also told Mr. Donaldson that the police took my keys, which they used to enter my home to search my home.

8. Mr. Donaldson did not inform me that if convicted of the gun charge I faced an additional sentence of five years to run consecutively to any sentence on the drug charges.

9. Had I known that going to trial would subject me to five years above the 10-year mandatory minimum on the drug counts I would have accepted the plea offer and would not have taken the risk of going to trial.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Brooklyn, NY
October 16, 2013


SHARON KING